

**Edwards & Angell** LLP

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Date : March 15, 2004

<u>From : John B. Alexander, Ph.D.</u>	<u>Fax : (617) 439-4170</u>	<u>Direct : (617) 517-5555</u>
<u>To : Examiner Gregory R.</u>		
<u>Delcotto</u>		
<u>U.S. Trademark &amp; Patent Office</u>	<u>Fax : (571) 273-1312</u>	<u>Direct :</u>

Pages : 11

(including cover sheet)

If you received a partial delivery, please call Michelle P. Chicos at (617) 517-5551.

Re : Examiner Delcotto,

As requested, enclosed please find a copy of the Reply to Notice of Non-Compliant Amendment in connection with U.S. Serial No. 09/982,493 as faxed on September 17, 2003 along with the PTO Auto Reply Transmission.

Please do not hesitate to contact me if you have any questions, or if I can be of any further assistance at this time.

Best Regards,

John B. Alexander, Ph.D.

JBA:mpc

# Fax

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PAGE 1/11 \* RCVD AT 3/15/2004 4:18:32 PM [Eastern Standard Time] \* SVR:USPTO-EFAXF-1/25 \* DNIS:2731312 \* CSID:617 439 4170 \* DURATION (mm:ss):03:28

PAGE 2/11 \* RCVD AT 3/15/2004 4:18:32 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/25 \* DNIS:2731312 \* CSID:617 439 4170 \* DURATION (mm:ss):03:28



**Edwards & Angell** LLP

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Date : September 17, 2003

From : John B. Alexander, Ph.D.

Fax : (617) 439-4170

Direct : (617) 517-5555

To : Group 1700

U.S. Trademark & Patent Office

Fax : (703) 872-9310

Direct :

Pages : 8

(including cover sheet)

If you received a partial delivery, please call Michelle P. Chicos at (617) 517-5551.

Re :

Enclosed please find a Reply to Notice of Non-Compliant Amendment in connection with U.S. Serial No. 09/982,493.

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PFC/ny/JBA

56629(71987)

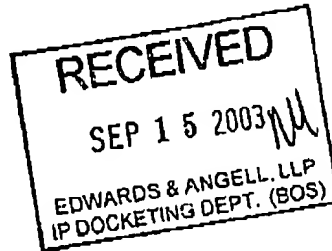


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,493	10/18/2001	Kuen-Yuen Hwang	56629 (71987)	7476

21874 7590 09/12/2003  
EDWARDS & ANGELL, LLP  
P.O. BOX 9169  
BOSTON, MA 02209



EXAMINER

DELCOTTO, GREGORY R

ART UNIT PAPER NUMBER

1751

DATE MAILED: 09/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

*amendment due*  
Edwards & Angell LLP

101 Federal St. Boston, MA 02110

Docketed For *10/2/03 - 2/2/04*By *nu*

Approved \_\_\_\_\_



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 9-4-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. Only the section (1.121(h)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.

THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/prconnotice/officeltr.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

*Heather J. Taylor* 308-4318  
Legal Instruments Examiner (LIE)

July 22, 2003 (rev.)